

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

VS.

CIVIL ACTION NO. 1:07CR176-P-D

PETER BERNEGGER,

DEFENDANT.

ORDER

These matters came before the court upon counsel for Defendant Peter Bernegger's motion to withdraw as counsel [66], Defendant Bernegger's *pro se* motion to dismiss the Superceding Indictment [72], and the Government's motion to strike the motion to dismiss [74] during a hearing held on April 30, 2009. Accordingly,

IT IS ORDERED AND ADJUDGED that:

(1) Since counsel for Defendant Peter Bernegger withdrew his motion to withdraw, counsel for Defendant Peter Bernegger's motion to withdraw as counsel [66] is **DENIED AS MOOT**;

(2) Defendant Bernegger's *pro se* motion to dismiss the Superceding Indictment [72] based upon the Speedy Trial Act is **DENIED**; and

(3) The Government's motion to strike the motion to dismiss [74] is **GRANTED**.

SO ORDERED this the 30th day of April, A.D., 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE